TRANSPARENCY RECORD

Ministry for Cities, Environment, Regions & Transport

Absence of Guidance or Analysis on Co-Governance Implications for Democratic Accountability and Transparency

LGOIA 2627-0001 | Response dated 4 August 2026

1. Purpose of this Record

This document records the formal Official Information Act response from the Ministry for Cities, Environment, Regions and Transport (MCERT) to a request concerning central government guidance on, and analysis of, co-governance and joint decision-making arrangements in local government.

It is published as a primary-source transparency record. It sits alongside earlier independent documentation of co-governance structures, infrastructure analysis gaps, and formal admissions from other agencies that comparative or accountability analysis does not exist.

2. The Request

The request, transferred to MCERT on 6 July 2026, sought:

1. What guidance, direction, or requirements the Department (now Ministry) had issued to local authorities regarding the establishment or expansion of co-governance and joint decision-making arrangements with iwi or hapū.
2. Whether the Department had conducted or commissioned any analysis on the implications of co-governance arrangements for democratic accountability, transparency, and equal political rights in local government decision-making.
3. What assessment, if any, had been undertaken regarding the risks of reduced transparency or accountability when decision-making authority is shared through co-governance structures.
4. Any internal briefings, policy advice, or risk assessments (from 1 January 2024 onwards) examining how co-governance arrangements affect public understanding of, and input into, local government decisions.

3. The Ministry’s Formal Response

Key statements from the response:

- “The Ministry does not guide or require local authorities to adopt co-governance arrangements.”
- The Ministry’s role is limited to providing policy advice to Ministers on the legislative and regulatory framework for local government, including the Local Government Act 2002 and related reforms.
- Local authorities are responsible for making their own governance and decision-making arrangements within that legislative framework.
- Section 81 of the Local Government Act 2002 requires local authorities to establish and maintain processes to provide opportunities for Māori to contribute to decision-making; councils themselves determine how they will comply with that obligation.

Formal refusal under section 18(e)

The entire request was refused under section 18(e) of the Official Information Act 1982:

> *"I am refusing your request in full under section 18(e) of the Act as the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found."*

This refusal covers all four parts of the request: guidance or requirements issued to councils; analysis of implications for democratic accountability, transparency and equal political rights; assessment of risks of reduced transparency or accountability; and internal briefings or risk assessments from 2024 onwards examining effects on public understanding and input.

4. What This Record Establishes

This response establishes, in writing from the central policy agency responsible for the local government legislative framework:

- That the Ministry does not guide or require local authorities to adopt co-governance arrangements.
- That no documents exist (or can be found after reasonable efforts) containing guidance, direction or requirements issued to councils on the establishment or expansion of co-governance.
- That no analysis has been located on the implications of co-governance for democratic accountability, transparency, or equal political rights.
- That no assessment has been located of the risks of reduced transparency or accountability when decision-making authority is shared through co-governance structures.
- That no internal briefings, policy advice or risk assessments from 1 January 2024 onwards examining effects on public understanding of, and input into, local government decisions have been located.

5. Context

Co-governance and joint decision-making arrangements between local authorities and iwi/hapū entities have expanded in a number of regions. Questions have been raised in public debate about the implications of these arrangements for democratic accountability, transparency of decision-making, and equal political rights.

This formal response from the Ministry responsible for the local government legislative framework confirms that it has not issued guidance requiring such arrangements and holds no analysis of the accountability or transparency implications. It is consistent with a wider pattern of formal responses from central and local agencies stating that comparative analysis, risk assessments, or accountability evaluations of certain governance and adaptation pathways do not exist or cannot be found.

6. What This Record Does Not Establish

- That co-governance arrangements are unlawful or inherently problematic.
- The motives of any council, iwi entity, or official.
- That the information must exist elsewhere and is being withheld. The Ministry has stated that it does not exist or cannot be found after reasonable efforts.

7. Public Interest

Where the central policy agency responsible for the legislative framework governing local authorities confirms that it has issued no requirements for co-governance and holds no analysis of the implications for democratic accountability, transparency or equal political rights, that confirmation is itself a matter of public interest.

This record is published so that the Ministry's formal statement sits on the public record alongside related independent documentation of co-governance structures and the wider pattern of formal admissions that certain categories of analysis do not exist.

8. Source Document

Letter from Mark Tregurtha, Policy Manager, Ministry for Cities, Environment, Regions and Transport, dated 4 August 2026, responding to Official Information Act request LGOIA 2627-0001 (transferred from the Department of Internal Affairs Local Government branch on 6 July 2026).

Related records: National Pattern and Drivers Analysis; Te Waihanga Admission update; Christchurch City Council LGOIMA 1699858 transparency record; independent briefings on co-governance and infrastructure analysis gaps (2026).

— End of Record —

Independent researcher | Public interest documentation | August 2026